

Ms. Laurie Allen
Acting Director, Office of Protected Resources
National Marine Fisheries Service - 13th floor
1315 East-West Highway
Silver Spring, MD 20910

Dear Ms. Allen:

The Office of Pesticide Programs (OPP), US Environmental Protection Agency (EPA) respectfully requests the initiation of Endangered Species Act (ESA) section 7(a)(2) consultation. This consultation request addresses seven (7) Evolutionarily Significant Units (ESU's) of Pacific salmon and steelhead that have been listed as Federally endangered or threatened, and one pesticide active ingredient registered by EPA under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), for uses within the range of the listed ESUs. The pesticide active ingredient subject to this request is linuron which is a substituted urea herbicide registered for control of several crops and numerous noxious weeds. Our long-term intent is to make effects determinations and consult, as appropriate, relative to all listed species and locations. However, as per agreement with the National Marine Fisheries Service, this request is limited to Pacific salmon and steelhead for which NMFS has responsibility.

Linuron has slight to high toxicity across a spectrum of species tested in the laboratory. However, based on the best available data on usage, environmental fate characteristics, the habitat for the individual ESU's and other information, OPP has determined that linuron uses may affect but are not likely to adversely affect seven listed Pacific salmon and steelhead ESUs; and linuron use will have no effect on the remaining nineteen ESUs.

A summary table at the back of the attached analysis indicates the specific determinations made for each of the 26 ESUs. I am requesting your concurrence, under the informal consultation process, on OPP's determination that the registered use of linuron is not likely to adversely affect the following listed Pacific salmon and steelhead ESU's: Upper Columbia River Chinook, Snake River spring/summer run Chinook, Snake River fall run Chinook, Upper Columbia River steelhead, Middle Columbia River steelhead, South-central California Coast steelhead, and the Southern California steelhead. We are not requesting consultation on the remaining nineteen since we have determined that linuron use will have no effect on those ESUs.

OPP is working toward a final endangered species program which is expected to be final this year. We are developing county-specific bulletins to address pesticide use and endangered and threatened species. It is through such bulletins, and pesticide product label reference to them, that OPP intends to implement and enforce protections for listed species, including any necessary protections for listed salmon and steelhead.

I look forward to working with NMFS to protect and help recover listed species. If you have any questions, please feel free to contact me on (703) 305-5239, or your technical staff may contact Michael Patterson, our review biologist, at (703) 605-0649.

enclosures

Sincerely,

/s/ 3/31/2004

Arthur-Jean B. Williams, Chief
Environmental Field Branch
Field and External Affairs Division (7506C)

cc: Craig Johnson